

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO



Notice from the Clerk
No. 10-17

Electronic Public Access Fee Schedule Change

On March 16, 2010, the Judicial Conference of the United States amended, pursuant to 28 U.S.C. §§ 1913, 1914, 1926, 1930 and 1932, the Electronic Public Access (EPA) Fee Schedule to charge the public for the expenses incurred by the judiciary in providing electronic public access to court records. The copy of the original version of the amended EPA Fee Schedule attached to this Notice is also available at the Court's web site, www.prd.uscourts.gov. The following is a summary of the fees to be levied effective August 1, 2010. Changes to the fee schedule appear in bold.

<u>Service</u>	<u>Fee</u>
Electronic access to court data via a federal judiciary Internet site <small>The total fees for any document, docket sheet, or case-specific report shall not exceed the fee for 30 pages, except for transcripts of court proceedings which shall not be subject to the 30-page fee limit. No fee will be owed until an account holder accrues charges exceeding \$10 in a quarterly billing cycle. Consistent with Judicial Conference policy, the Court may, upon a showing of cause, exempt qualified persons and entities from payment of these fees.</small>	8 cents per page
Electronic access to an audio file of a hearing via a federal judiciary Internet site	\$2.40 per audio file
Copies of any record or document accessed electronically at a public terminal in the courthouse	10 cents per page
Name or item search of court records conducted by the PACER Service Center	\$26 per search
PACER Service Center reproduction on paper of any record pertaining to a PACER account, if the information is remotely available through electronic access	50 cents per page
Check paid to the PACER Service Center which is returned for lack of funds	\$45 per check returned

BY ORDER OF THE COURT.

In San Juan, Puerto Rico, this 2nd day of September, 2010.

A handwritten signature in dark ink, appearing to read "Frances Rios de Moran".

FRANCES RIOS DE MORAN, ESQ.
CLERK OF COURT

ELECTRONIC PUBLIC ACCESS FEE SCHEDULE

(Issued in accordance with 28 U.S.C. §§ 1913, 1914, 1926, 1930, 1932)

As directed by Congress, the Judicial Conference has determined that the following fees are necessary to reimburse expenses incurred by the judiciary in providing electronic public access to court records. These fees shall apply to the United States unless otherwise stated. No fees under this schedule shall be charged to federal agencies or programs which are funded from judiciary appropriations, including, but not limited to, agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A, and bankruptcy administrator programs.

- I. For electronic access to court data via a federal judiciary Internet site: eight cents per page, with the total for any document, docket sheet, or case-specific report not to exceed the fee for thirty pages— provided however that transcripts of federal court proceedings shall not be subject to the thirty-page fee limit. For electronic access to an audio file of a hearing in a district court, bankruptcy court, or the Court of Federal Claims via a federal judiciary Internet site: \$2.40 per audio file.

Attorneys of record and parties in a case (including *pro se* litigants) receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. No fee is owed under this provision until an account holder accrues charges of more than \$10 in a quarterly billing cycle. Consistent with Judicial Conference policy, courts may, upon a showing of cause, exempt indigents, bankruptcy case trustees, individual researchers associated with educational institutions, courts, section 501(c)(3) not-for-profit organizations, court appointed pro bono attorneys, and pro bono ADR neutrals from payment of these fees. Courts must find that parties from the classes of persons or entities listed above seeking exemption have demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. Any user granted an exemption agrees not to sell for profit the data obtained as a result. Any transfer of data obtained as the result of a fee exemption is prohibited unless expressly authorized by the court. Exemptions may be granted for a definite period of time and may be revoked at the discretion of the court granting the exemption.

- II. For printing copies of any record or document accessed electronically at a public terminal in the courthouse: ten cents per page. This fee shall apply to services rendered on behalf of the United States if the record requested is remotely available through electronic access.
- III. For every search of court records conducted by the PACER Service Center, \$26 per name or item searched.
- IV. For the PACER Service Center to reproduce on paper any record pertaining to a PACER account, if this information is remotely available through electronic access, 50 cents per page.
- V. For a check paid to the PACER Service Center which is returned for lack of funds, \$45.

JUDICIAL CONFERENCE POLICY NOTES

Courts should not exempt local, state or federal government agencies, members of the media, attorneys or others not members of one of the groups listed above. Exemptions should be granted as the exception, not the rule. A court may not use this exemption language to exempt all users. An exemption applies only to access related to the case or purpose for which it was given. The prohibition on transfer of information received without fee is not intended to bar a quote or reference to information received as a result of a fee exemption in a scholarly or other similar work.

The electronic public access fee applies to electronic court data viewed remotely from the public records of individual cases in the court, including filed documents and the docket sheet. Electronic court data may be viewed free at public terminals at the courthouse and courts may provide other local court information at no cost. Examples of information that can be provided at no cost include: local rules, court forms, news items, court calendars, opinions, and other information – such as court hours, court location, telephone listings – determined locally to benefit the public and the court.